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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of: Meissner et al.

Application Number: 09/393,023

Group Art Unit: 1646

TECH CENTER 1600/2900

Filed: September 9, 1999

Examiner: Kaufman, C.

Title: Human Cripin Growth Factor

Attny. Docket No.: PF200D1

**RESPONSE TO FURTHER RESTRICTION REQUIREMENT, PROVISIONAL
ELECTION, AND TRAVERSE UNDER 37 C.F.R. § 1.143**

#16
HQS
9/11/01

Commissioner for Patents and Trademarks
Washington, D.C. 20231

Sir or Madam:

In response to the Further Restriction Requirement mailed July 6, 2001, please enter the following provisional election, with traverse, and consider the remarks below. Applicants submit concurrently herewith: (a) a Petition for an Extension of Time for one (1) month, up to and including September 6, 2001; (b) a Fee Transmittal Sheet; and (c) Associate Power of Attorney.

Remarks

Claims 14, 16, and 19-95 are pending in the instant application.

Applicants request reconsideration and withdrawal of the present restriction requirement.

The Restriction Requirement

The Examiner appears to be requiring an election of "species" (*i.e.*, sequence) within the provisionally elected Group I.

More particularly, the Examiner alleges:

The claims are drawn to numerous patentably distinct proteins, each of which constitutes a patentably distinct product. Applicants are required to elect a single invention of a protein, selected from the group consisting of: a protein comprising a polypeptide selected from the group consisting of the following regions of SEQ ID NO:2: Residues 1-223, 1-173, 24-223, 24-67, 24-173, 45-128, 68-173, 68-223, 129-207 and 174-223 (including polypeptides $\geq 90\%$ identical; *i.e.*, elect one from the previous Markush group), and a single ultimate species of a fragment of residues 1-223 which retains